

Notice of Allowability

Application No.

09/578,019

Examiner

David E. England

Applicant(s)

KRAUSE ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/13/2007.
2. ☒ The allowed claim(s) is/are 1, 3-30 and 32-53.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance: the closest prior art of record (
2. Miller et al. U.S. Patent No. 6151696, Nessett et al. U.S. Patent No. 5968176, Van Loo et al. U.S. Patent No. 6064672 and Ruszczyk U.S. Patent No. 6205150) does not teach nor suggest in detail "A data processing system comprising: a source device participating in a multicast group and including: a first source application instance (AI) producing a first unit of work stream; and communication services (CS); multiple destination devices participating in the multicast group, each destination device in the multicast group including: at least one destination AI which consumes units of work; and CS; communication services/fabric providing communication between the source device and the multiple destination devices; multiple source and destination resources (SDRs), each SDR implementing an independent reliable transport service between the source device and a corresponding one of the multiple destination devices in the multicast group for delivery of the first unit of work stream at the corresponding one of the multiple destination devices and guaranteeing strong ordering of the first unit of work stream received at the corresponding one of the multiple destination devices, wherein each SDR includes: first SDR resources at the source device having at least one queue configured to hold transmitted from the source device to the corresponding one of the multiple destination devices but not acknowledged units of work and not yet transmitted units of work; and

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second SDR resources at the corresponding one of the multiple destination devices having state information including an expected next sequence number value, indicating an expected defined order corresponding to a next unit of work to be received; and wherein the CS in the source device correlates the independent reliable transport services and verifies that a predetermined percentage of destination AIs in the multicast group reliably receives each unit of work or a cumulative set of units of work in the first unit of work stream in the expected defined order,” as argued by the Applicant (see Appeal Brief dated 08/13/2007, pages 7 – 15; Specification as of 05/24/2000, pages 18 – 30; and Drawings dated 10/01/2004, Figures 4 and 8 – 10, of Applicant’s enabling portions of the specification and drawings).

3. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claim as well as for the further limitations set forth. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

4. Claims 1, 3 – 30 and 32 – 53 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England
Examiner
Art Unit 2143

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